IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 5817 (S/S) of 2001

WPSS/11241/1992

Harshmani Gaguri S/o Sri Siddhi Ram Gaguri
R/o Village Jagat Post Jagat
District- Uttar Kashi -----Petitioner

Versus

1. Regional Inspectress of Girls School Pauri
2. Principal Rajkiya Kanya Inter College Badkot
   District – Uttar Kashi

-----Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Sudhanshu Dhulia, learned senior counsel assisted by Sri Vipul Sharma for the petitioner and Sri Paresh Tripathi, brief holder State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

1. To issue a writ of certiorari to quash the impugned orders dated 21.2.1992 being No. 7359/92-93 communicated to the petitioner on 25.2.1992 vide letter No. 343-45/92-93 dated 25.2.1992.
2. To issue any such other suitable writ, order or direction as this Hon'ble Court may deem fit and proper under the circumstances of the case.
3. To award the costs of this writ petition to the petitioner.

Vide order dated 25.01.1992 passed by respondent no. 2, the petitioner was appointed as a Peon in Government Inter College, Badhkot.

The stand of the petitioner is that he was appointed on the post of Peon vide order dated 25.01.1992, however, without giving any opportunity of hearing, his services were terminated vide order dated 21.02.1992.

Counter affidavit has been filed by the respondent no. 2, wherein it is stated that the petitioner was appointed on the post of Peon against the post, which fell vacant because of the transfer of one Sri Jai Krishan. Later on, the transfer of Jai Krishan was cancelled by the Regional Deputy Director, Garhwal Mandal. After cancellation of the transfer order, the petitioner was not permitted to continue on the post of Peon.

The service of the petitioner were terminated from the date Sri Jai Krishan has joined after cancellation of his transfer order.

I do not find any irregularity in the impugned order. The writ petition lacks merit and is hereby dismissed.

(M.M. Ghildiyal, J.)

27.04.2007
VKS